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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/52/652)]

52/161. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council,[1]

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

Recalling also its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system and and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", by which it adopted the texts on coordination and the question of sanctions imposed by the United Nations, which are annexed to that resolution,

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[1] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 47* and corrigendum (A/51/47 and Corr.1).

Recalling further that the International Court of Justice is the principal judicial organ of the United Nations, and reaffirming its authority and independence,

Noting with satisfaction the increase in the volume of cases before the Court,

Considering the desirability of finding practical ways and means of strengthening the Court,

Taking note of the report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*,[2]

Recalling its resolution 51/209 of 17 December 1996,

Having considered the report of the Special Committee on the work of its session held in 1997,[3]

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[3]

2. *Decides* that the Special Committee will hold its next session from 26 January to 6 February 1998;

3. *Requests* the Special Committee, at its session in 1998, in accordance with paragraph 5 of General Assembly resolution 50/52 of 11 December 1995:

(*a*) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 1998, including the revised proposal on the strengthening of the role of the United Nations in the maintenance of international peace and security,[4] the revised working paper on the strengthening of the role of the Organization and enhancing its effectiveness,[5] the revised working paper entitled "Some ideas on the basic conditions and criteria for imposing and implementing sanctions and other enforcement measures"[6] and the working paper on the draft declaration on the basic principles and criteria for the work of the United Nations peacekeeping missions and mechanisms for the prevention and settlement of crises and conflicts;[7]

(*b*) To continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, taking into consideration the reports of the Secretary-General,[8] the proposals submitted on this

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[2] A/52/317 and Corr.1.

[3] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 33* and corrigendum (A/52/33 and Corr. 1).

[4] Ibid., *Fifty-first Session, Supplement No. 33* (A/51/33), para. 56.

[5] Ibid., *Fifty-second Session, Supplement No. 33* and corrigendum (A/52/33 and Corr. 1), para. 59.

[6] Ibid., para. 29.

[7] Ibid., *Fifty-first Session, Supplement No. 33* (A/51/33), para. 128.

[8] A/48/573-S/26705 (see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*), A/49/356, A/50/60-S/1995/1 (see *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*), A/50/423, A/50/361, A/51/317 and A/52/308.

subject, the debate on this question in the Sixth Committee during the fifty-second session of the General Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to General Assembly resolution 51/242, and also the implementation of the provisions of General Assembly resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996 and 52/152 of 15 December 1997;

(*c*) To continue its work on the question of the peaceful settlement of disputes between States and, in this context, to continue its consideration of proposals relating to the peaceful settlement of disputes between States, including the proposal on the establishment of a dispute settlement service offering or responding with its services early in disputes and those proposals relating to the enhancement of the role of the International Court of Justice;

(*d*) To continue to consider proposals concerning the Trusteeship Council in the light of the report of the Secretary-General submitted in accordance with resolution 50/55,[9] the report of the Secretary-General entitled "Renewing the United Nations: a programme for reform"[10] and the views expressed by States on this subject during the fifty-second session of the General Assembly;

4. *Invites* Member States, the States parties to the Statute of the International Court of Justice, and the International Court of Justice if it so desires, to present, before the fifty-third session of the General Assembly, their comments and observations on the consequences that the increase in the volume of cases before the Court has on its operation, on the understanding that whatever action may be taken as a result of this invitation will have no implications for any changes in the Charter of the United Nations or the Statute of the International Court of Justice;

5. *Requests* the Secretary-General, taking into account the views expressed and the practical suggestions made during the debate held within the framework of the Sixth Committee, to make every effort to implement in a timely manner the steps proposed in paragraph 59 of his report[2] regarding the preparation and publication of the supplements to the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* with a view to updating them and to submit a progress report on the matter to the General Assembly at its fifty-third session;

6. *Invites* the Special Committee at its session in 1998 to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations, to discuss how to offer its assistance to the working groups of the General Assembly in this field and, in this regard, to consider ways and means of improving coordination between the Special Committee and other working groups dealing with the reform of the Organization, including the role of the Chairperson of the Special Committee for this purpose;

7. *Requests* the Special Committee to submit a report on its work to the General Assembly at the fifty-third session;

8. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

72nd plenary meeting
15 December 1997

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[9] A/50/1011.

[10] A/51/950 and Add.1-7.